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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

THE UNITED STATES OF AMERICA

) Case No. CR S-04-289-WBS

Plaintiff,

) STIPULATION AND [PROPOSED]
) ORDER TO CONTINUE JUDGEME
) AND SENTENCING, HEARING ON
) DEFENDANT'S BRIEF, AND MOD
) BRIEFING SCHEDULE

VS.

MICHAEL L. STEVENS,

BRIEFING SCHEDULE

Defendant.

) Date: May 29, 2007

) Time: 8:30 a.m.

) Court: Hon. William B. Shubb.

)

)

Defendant MICHAEL L. STEVENS, by and through his attorney, Johnny L. Griffin, III, and the United States of America, by and through Assistant U.S. Attorney Matthew D. Segal, hereby agree and stipulate to continue the judgment and sentencing and hearing on Defendant's Brief regarding the adverse consequences of the 100-to1 ratio disparity between cocaine base and powder cocaine, in the above captioned case from April 2, 2007 to May 29, 2007 **at 8:30 a.m.**¹ This continuance is necessary to allow counsel for Defendant additional time to review and discuss discovery with his client, and draft and file the Memorandum of Points and Authorities in Support of Defendant's Brief.

¹ The parties have been advised by this Court's Clerk May 29, 2007 at 8:30 a.m. is an available date and time for sentencing and a hearing on this matter.

1 The parties have agreed to adhere to the following modified briefing schedule:²

2 <u>Pleading</u>	3 <u>Filing Deadline</u>
4 Defendant's Brief	5 04/23/07
6 Government's Opposition	7 05/07/07
8 Defendant's Reply to Government's 9 Opposition	10 05/14/07

11 Dated: March 28, 2007

12 Respectfully submitted,

13 _____
14 /s/ Johnny L. Griffin, III
15 JOHNNY L. GRIFFIN, III
16 Attorney for MICHAEL STEVENS

17 Dated: March 28, 2007

18 Respectfully submitted,

19 _____
20 /s/ Matthew D. Segal
21 MATTHEW D. SEGAL³
22 Assistant United States Attorney

23 **ORDER**

24 Based on these findings and pursuant to the stipulation of the parties, the Court
25 hereby adopts the stipulation of the parties in its entirety as its order.

26 **IT IS SO ORDERED.**

27 Dated: March 28, 2007

28 
29 _____
30 WILLIAM B. SHUBB
31 UNITED STATES DISTRICT JUDGE

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33 ² The United States Government, by stipulating to the briefing schedule is not waiving the argument that the
34 defendant's brief is itself a breach of the plea agreement.

35 ³ Assistant United States Attorney Matthew D. Segal telephonically authorized attorney Johnny L. Griffin, III to
36 sign this Stipulation and Order on his behalf.